IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF VIRGINIA

ALEXANDRIA DIVISION

)
JEMIE SANCHEZ)
5539 Columbia Pike #709)
Arlington, VA 22204)
Plaintiff,)
_) Civil Action No.
V.) Civil Action No.
ARLINGTON COUNTY SCHOOL BO	OARD)
2110 Washington Blvd)
Arlington, VA 22204,)
Defendant.)
)

COMPLAINT FOR ATTORNEYS' FEES AND COSTS

Plaintiff Jemie Sanchez, through undersigned counsel, for her complaint herein alleges as follows:

INTRODUCTION

1. This is a claim for legal fees and costs incurred in successful litigation under the Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 *et seq.* ("IDEA").

JURISDICTION AND VENUE

2. This Court has subject matter jurisdiction over the Plaintiff's claims pursuant to 28 U.S.C. § 1331, in that the action arises under the laws of the United States. This Court is a proper venue for this action pursuant to 28 U.S.C. §1391(b)(1) and (2).

PARTIES

3. Jemie Sanchez is the parent of C.S.

- 4. C.S. is a child eligible for special education, with diagnoses of autism spectrum disorder, attention-deficit hyperactivity disorder, combined type, and language impairment/other symbolic dysfunctions.
- 5. Ms. Sanchez and C.S. reside in Arlington, Virginia.
- 6. Arlington County School Board, on behalf of Arlington Public Schools ("APS"), receives federal financial assistance in exchange for providing special education and related services to students in its jurisdiction.

FACTS

- 10. On November 9, 2018, Ms. Sanchez prevailed in IDEA litigation against APS, receiving final relief ordered in a Hearing Officer's Decision ("HOD") issued that day.
- 11. Specifically, the Hearing Officer found C.S.'s individualized education program ("IEP") to be inappropriate and ordered APS to convene a meeting and develop a new IEP.
- 12. The Hearing Officer explicitly found Ms. Sanchez to be the prevailing party in the HOD.
- 13. After litigation under the IDEA, a United States District Court may award fees and cost to such a prevailing party. *See* 20 U.S.C. § 1415(i)(3)(B); *JP ex rel. Peterson v. Cty. Sch. Bd. of Hanover Cty.*, *Va.*, 641 F. Supp. 2d 499, 509 (E.D. Va. 2009) (awarding fees in IDEA case).
- 14. Ms. Sanchez incurred reasonable legal fees and costs in pursuing and obtaining relief in her IDEA litigation.

WHEREFORE, Ms. Sanchez respectfully requests that this Court:

- 1) award her the reasonable fees and costs incurred in the IDEA litigation;
- 2) award her the reasonable fees and costs of this action; and
- 3) award all other relief the Court deems appropriate and/or just.

Respectfully submitted,

Caitlin McAndrews, Esq.

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